



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2570

Introduced 2/26/2021, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-1.8	from Ch. 46, par. 9-1.8
10 ILCS 5/9-1.9	from Ch. 46, par. 9-1.9
10 ILCS 5/9-2	from Ch. 46, par. 9-2
10 ILCS 5/9-3	from Ch. 46, par. 9-3
10 ILCS 5/9-8.5	
10 ILCS 5/9-10	from Ch. 46, par. 9-10

Amends the Election Code. Defines a "multi-candidate political committee" to mean 2 or more candidates or any natural person, trust, partnership, corporation, or other organization or group of persons designated by the candidates that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$5,000 on behalf of the candidate. Provides that for a multi-candidate political committee organized to support multiple candidates for a single office, "election cycle" means the period that would apply to the candidates if they had formed individual candidate political committees. Provides that for a multi-candidate political committee organized to support candidates for different offices, "election cycle" means the period that is the longest of all the periods that would apply to the candidates supported by the committee if they had formed individual candidate political committees. Prohibits a public official or candidate for public office from maintaining or establishing more than one multi-candidate political committee for each office that public official or candidate holds or is seeking. Provides that the name of each multi-candidate political committee shall identify the names of all public officials or candidates supported by the multi-candidate political committee. Prohibits a public official or candidate for public office that maintains a candidate political committee from maintaining or establishing a multi-candidate committee to support his or her candidacy for the same office. Provides that during an election cycle, the aggregate value of a contribution that a multi-candidate political committee may accept from a source is equal to the aggregate value of a contribution that a candidate political committee would be permitted to accept from that source. Makes conforming and other changes.

LRB102 16507 SMS 21900 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 9-1.8, 9-1.9, 9-2, 9-3, 9-8.5, and 9-10 as follows:

6 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

7 Sec. 9-1.8. Political committees.

8 (a) "Political committee" includes a candidate political
9 committee, a political party committee, a political action
10 committee, a ballot initiative committee, and an independent
11 expenditure committee.

12 (b) "Candidate political committee" means the candidate
13 himself or herself or any natural person, trust, partnership,
14 corporation, or other organization or group of persons
15 designated by the candidate that accepts contributions or
16 makes expenditures during any 12-month period in an aggregate
17 amount exceeding \$5,000 on behalf of the candidate.

18 (b-5) "Multi-candidate political committee" means 2 or
19 more candidates or any natural person, trust, partnership,
20 corporation, or other organization or group of persons
21 designated by the candidates that accepts contributions or
22 makes expenditures during any 12-month period in an aggregate
23 amount exceeding \$5,000 on behalf of the candidate. Unless

1 otherwise stated, all provisions of this Article that apply to
2 candidate political committees shall be applied in an
3 identical manner to multi-candidate political committees.

4 (c) "Political party committee" means the State central
5 committee of a political party, a county central committee of
6 a political party, a legislative caucus committee, or a
7 committee formed by a ward or township committeeperson of a
8 political party. For purposes of this Article, a "legislative
9 caucus committee" means a committee established for the
10 purpose of electing candidates to the General Assembly by the
11 person elected President of the Senate, Minority Leader of the
12 Senate, Speaker of the House of Representatives, Minority
13 Leader of the House of Representatives, or a committee
14 established by 5 or more members of the same caucus of the
15 Senate or 10 or more members of the same caucus of the House of
16 Representatives.

17 (d) "Political action committee" means any natural person,
18 trust, partnership, committee, association, corporation, or
19 other organization or group of persons, other than a
20 candidate, political party, candidate political committee, or
21 political party committee, that accepts contributions or makes
22 expenditures during any 12-month period in an aggregate amount
23 exceeding \$5,000 on behalf of or in opposition to a candidate
24 or candidates for public office. "Political action committee"
25 includes any natural person, trust, partnership, committee,
26 association, corporation, or other organization or group of

1 persons, other than a candidate, political party, candidate
2 political committee, or political party committee, that makes
3 electioneering communications during any 12-month period in an
4 aggregate amount exceeding \$5,000 related to any candidate or
5 candidates for public office.

6 (e) "Ballot initiative committee" means any natural
7 person, trust, partnership, committee, association,
8 corporation, or other organization or group of persons that
9 accepts contributions or makes expenditures during any
10 12-month period in an aggregate amount exceeding \$5,000 in
11 support of or in opposition to any question of public policy to
12 be submitted to the electors. "Ballot initiative committee"
13 includes any natural person, trust, partnership, committee,
14 association, corporation, or other organization or group of
15 persons that makes electioneering communications during any
16 12-month period in an aggregate amount exceeding \$5,000
17 related to any question of public policy to be submitted to the
18 voters. The \$5,000 threshold applies to any contributions or
19 expenditures received or made with the purpose of securing a
20 place on the ballot for, advocating the defeat or passage of,
21 or engaging in electioneering communication regarding the
22 question of public policy, regardless of the method of
23 initiation of the question of public policy and regardless of
24 whether petitions have been circulated or filed with the
25 appropriate office or whether the question has been adopted
26 and certified by the governing body.

1 (f) "Independent expenditure committee" means any trust,
2 partnership, committee, association, corporation, or other
3 organization or group of persons formed for the exclusive
4 purpose of making independent expenditures during any 12-month
5 period in an aggregate amount exceeding \$5,000 in support of
6 or in opposition to (i) the nomination for election, election,
7 retention, or defeat of any public official or candidate or
8 (ii) any question of public policy to be submitted to the
9 electors. "Independent expenditure committee" also includes
10 any trust, partnership, committee, association, corporation,
11 or other organization or group of persons that makes
12 electioneering communications that are not made in connection,
13 consultation, or concert with or at the request or suggestion
14 of a public official or candidate, a public official's or
15 candidate's designated political committee or campaign, or an
16 agent or agents of the public official, candidate, or
17 political committee or campaign during any 12-month period in
18 an aggregate amount exceeding \$5,000 related to (i) the
19 nomination for election, election, retention, or defeat of any
20 public official or candidate or (ii) any question of public
21 policy to be submitted to the voters.

22 (Source: P.A. 100-1027, eff. 1-1-19.)

23 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

24 Sec. 9-1.9. Election cycle. "Election cycle" means any of
25 the following:

1 (1) For a candidate political committee organized to
2 support a candidate to be elected at a general primary
3 election or general election, (i) the period beginning January
4 1 following the general election for the office to which a
5 candidate seeks nomination or election and ending on the day
6 of the general primary election for that office or (ii) the
7 period beginning the day after a general primary election for
8 the office to which the candidate seeks nomination or election
9 and through December 31 following the general election.

10 (2) Notwithstanding paragraph (1), for a candidate
11 political committee organized to support a candidate for the
12 General Assembly, (i) the period beginning January 1 following
13 a general election and ending on the day of the next general
14 primary election or (ii) the period beginning the day after
15 the general primary election and ending on December 31
16 following a general election.

17 (3) For a candidate political committee organized to
18 support a candidate for a retention election, (i) the period
19 beginning January 1 following the general election at which
20 the candidate was elected through the day the candidate files
21 a declaration of intent to seek retention or (ii) the period
22 beginning the day after the candidate files a declaration of
23 intent to seek retention through December 31 following the
24 retention election.

25 (4) For a candidate political committee organized to
26 support a candidate to be elected at a consolidated primary

1 election or consolidated election, (i) the period beginning
2 July 1 following a consolidated election and ending on the day
3 of the consolidated primary election or (ii) the period
4 beginning the day after the consolidated primary election and
5 ending on June 30 following a consolidated election.

6 (5) For a political party committee, political action
7 committee, ballot initiative committee, or independent
8 expenditure committee, the period beginning on January 1 and
9 ending on December 31 of each calendar year.

10 (6) For a multi-candidate political committee organized to
11 support multiple candidates for a single office, the period
12 that would apply to the candidates if they had formed
13 individual candidate political committees.

14 (7) For a multi-candidate political committee organized to
15 support candidates for different offices, the period that is
16 the longest of all the periods that would apply to the
17 candidates supported by the committee if they had formed
18 individual candidate political committees.

19 (Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)

20 (10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

21 Sec. 9-2. Political committee designations.

22 (a) Every political committee shall be designated as a (i)
23 candidate political committee, (ii) multi-candidate political
24 committee, (iii) political party committee, (iv) ~~(iii)~~
25 political action committee, (v) ~~(iv)~~ ballot initiative

1 committee, or (vi) ~~(v)~~ independent expenditure committee.

2 (b) Beginning January 1, 2011, no public official or
3 candidate for public office may maintain or establish more
4 than one candidate political committee for each office that
5 public official or candidate holds or is seeking. The name of
6 each candidate political committee shall identify the name of
7 the public official or candidate supported by the candidate
8 political committee. If a candidate establishes separate
9 candidate political committees for each public office, the
10 name of each candidate political committee shall also include
11 the public office to which the candidate seeks nomination for
12 election, election, or retention. If a candidate establishes
13 one candidate political committee for multiple offices elected
14 at different elections, then the candidate shall designate an
15 election cycle, as defined in Section 9-1.9, for purposes of
16 contribution limitations and reporting requirements set forth
17 in this Article. No political committee, other than a
18 candidate political committee or multi-candidate political
19 committee, may include the name of a candidate in its name.

20 (b-5) No public official or candidate for public office
21 may maintain or establish more than one multi-candidate
22 political committee for each office that public official or
23 candidate holds or is seeking. The name of each
24 multi-candidate political committee shall identify the names
25 of all public officials or candidates supported by the
26 multi-candidate political committee.

1 (b-10) No public official or candidate for public office
2 that maintains a candidate political committee may maintain or
3 establish a multi-candidate committee to support his or her
4 candidacy for the same office. No public official or candidate
5 for public office that maintains a multi-candidate political
6 committee may maintain or establish a candidate committee to
7 support his or her candidacy for the same office.

8 (c) Beginning January 1, 2011, no State central committee
9 of a political party, county central committee of a political
10 party, committee formed by a ward or township committeeperson,
11 or committee established for the purpose of electing
12 candidates to the General Assembly may maintain or establish
13 more than one political party committee. The name of the
14 committee must include the name of the political party.

15 (d) Beginning January 1, 2011, no natural person, trust,
16 partnership, committee, association, corporation, or other
17 organization or group of persons forming a political action
18 committee shall maintain or establish more than one political
19 action committee. The name of a political action committee
20 must include the name of the entity forming the committee.
21 This subsection does not apply to independent expenditure
22 committees.

23 (e) Beginning January 1, 2011, the name of a ballot
24 initiative committee must include words describing the
25 question of public policy and whether the group supports or
26 opposes the question.

1 (f) Every political committee shall designate a chair and
2 a treasurer. The same person may serve as both chair and
3 treasurer of any political committee. A candidate who
4 administers his own campaign contributions and expenditures
5 shall be deemed a political committee for purposes of this
6 Article and shall designate himself as chair, treasurer, or
7 both chair and treasurer of such political committee. The
8 treasurer of a political committee shall be responsible for
9 keeping the records and filing the statements and reports
10 required by this Article.

11 (g) No contribution and no expenditure shall be accepted
12 or made by or on behalf of a political committee at a time when
13 there is a vacancy in the office of chair or treasurer thereof.
14 No expenditure shall be made for or on behalf of a political
15 committee without the authorization of its chair or treasurer,
16 or their designated agents.

17 (h) For purposes of implementing the changes made by this
18 amendatory Act of the 96th General Assembly, every political
19 committee in existence on the effective date of this
20 amendatory Act of the 96th General Assembly shall make the
21 designation required by this Section by December 31, 2010.

22 (Source: P.A. 100-1027, eff. 1-1-19.)

23 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

24 Sec. 9-3. Political committee statement of organization.

25 (a) Every political committee shall file with the State

1 Board of Elections a statement of organization within 10
2 business days of the creation of such committee, except any
3 political committee created within the 30 days before an
4 election shall file a statement of organization within 2
5 business days in person, by facsimile transmission, or by
6 electronic mail. Any change in information previously
7 submitted in a statement of organization shall be reported, as
8 required for the original statement of organization by this
9 Section, within 10 days following that change. The Board shall
10 impose a civil penalty of \$50 per business day upon political
11 committees for failing to file or late filing of a statement of
12 organization. Such penalties shall not exceed \$5,000, and
13 shall not exceed \$10,000 for statewide office political
14 committees. There shall be no fine if the statement is mailed
15 and postmarked at least 72 hours prior to the filing deadline.

16 In addition to the civil penalties authorized by this
17 Section, the State Board of Elections or any other political
18 committee may apply to the circuit court for a temporary
19 restraining order or a preliminary or permanent injunction
20 against the political committee to cease the expenditure of
21 funds and to cease operations until the statement of
22 organization is filed.

23 For the purpose of this Section, "statewide office" means
24 the Governor, Lieutenant Governor, Secretary of State,
25 Attorney General, State Treasurer, and State Comptroller.

26 (b) The statement of organization shall include:

1 (1) the name and address of the political committee
2 and the designation required by Section 9-2;

3 (2) the scope, area of activity, party affiliation,
4 and purposes of the political committee;

5 (2.5) for a multi-candidate political committee, the
6 names and offices sought by each candidate supported by
7 the multi-candidate political committee;

8 (3) the name, address, and position of each custodian
9 of the committee's books and accounts;

10 (4) the name, address, and position of the committee's
11 principal officers, including the chairman, treasurer, and
12 officers and members of its finance committee, if any;

13 (5) the name and address of any sponsoring entity;

14 (6) a statement of what specific disposition of
15 residual fund will be made in the event of the dissolution
16 or termination of the committee;

17 (7) a listing of all banks or other financial
18 institutions, safety deposit boxes, and any other
19 repositories or custodians of funds used by the committee;
20 and

21 (8) the amount of funds available for campaign
22 expenditures as of the filing date of the committee's
23 statement of organization.

24 For purposes of this Section, a "sponsoring entity" is (i)
25 any person, organization, corporation, or association that
26 contributes at least 33% of the total funding of the political

1 committee or (ii) any person or other entity that is
 2 registered or is required to register under the Lobbyist
 3 Registration Act and contributes at least 33% of the total
 4 funding of the political committee.

5 (c) Each statement of organization required to be filed in
 6 accordance with this Section shall be verified, dated, and
 7 signed by either the treasurer of the political committee
 8 making the statement or the candidate on whose behalf the
 9 statement is made and shall contain substantially the
 10 following verification:

11 "VERIFICATION:

12 I declare that this statement of organization (including
 13 any accompanying schedules and statements) has been examined
 14 by me and, to the best of my knowledge and belief, is a true,
 15 correct, and complete statement of organization as required by
 16 Article 9 of the Election Code. I understand that willfully
 17 filing a false or incomplete statement is subject to a civil
 18 penalty of at least \$1,001 and up to \$5,000.

19
 20 (date of filing) (signature of person making the statement)".

21 (d) The statement of organization for a ballot initiative
 22 committee also shall include a verification signed by the
 23 chairperson of the committee that (i) the committee is formed
 24 for the purpose of supporting or opposing a question of public
 25 policy, (ii) all contributions and expenditures of the
 26 committee will be used for the purpose described in the

1 statement of organization, (iii) the committee may accept
2 unlimited contributions from any source, provided that the
3 ballot initiative committee does not make contributions or
4 expenditures in support of or opposition to a candidate or
5 candidates for nomination for election, election, or
6 retention, and (iv) failure to abide by these requirements
7 shall deem the committee in violation of this Article.

8 (d-5) The statement of organization for an independent
9 expenditure committee also shall include a verification signed
10 by the chairperson of the committee that (i) the committee is
11 formed for the exclusive purpose of making independent
12 expenditures, (ii) all contributions and expenditures of the
13 committee will be used for the purpose described in the
14 statement of organization, (iii) the committee may accept
15 unlimited contributions from any source, provided that the
16 independent expenditure committee does not make contributions
17 to any candidate political committee, political party
18 committee, or political action committee, and (iv) failure to
19 abide by these requirements shall deem the committee in
20 violation of this Article.

21 (e) For purposes of implementing the changes made by this
22 amendatory Act of the 96th General Assembly, every political
23 committee in existence on the effective date of this
24 amendatory Act of the 96th General Assembly shall file the
25 statement required by this Section with the Board by December
26 31, 2010.

1 (Source: P.A. 99-522, eff. 6-30-16.)

2 (10 ILCS 5/9-8.5)

3 Sec. 9-8.5. Limitations on campaign contributions.

4 (a) It is unlawful for a political committee to accept
5 contributions except as provided in this Section.

6 (b) During an election cycle, a candidate political
7 committee may not accept contributions with an aggregate value
8 over the following: (i) \$5,000 from any individual, (ii)
9 \$10,000 from any corporation, labor organization, or
10 association, or (iii) \$50,000 from a candidate political
11 committee or political action committee. A candidate political
12 committee may accept contributions in any amount from a
13 political party committee except during an election cycle in
14 which the candidate seeks nomination at a primary election.
15 During an election cycle in which the candidate seeks
16 nomination at a primary election, a candidate political
17 committee may not accept contributions from political party
18 committees with an aggregate value over the following: (i)
19 \$200,000 for a candidate political committee established to
20 support a candidate seeking nomination to statewide office,
21 (ii) \$125,000 for a candidate political committee established
22 to support a candidate seeking nomination to the Senate, the
23 Supreme Court or Appellate Court in the First Judicial
24 District, or an office elected by all voters in a county with
25 1,000,000 or more residents, (iii) \$75,000 for a candidate

1 political committee established to support a candidate seeking
2 nomination to the House of Representatives, the Supreme Court
3 or Appellate Court for a Judicial District other than the
4 First Judicial District, an office elected by all voters of a
5 county of fewer than 1,000,000 residents, and municipal and
6 county offices in Cook County other than those elected by all
7 voters of Cook County, and (iv) \$50,000 for a candidate
8 political committee established to support the nomination of a
9 candidate to any other office. A candidate political committee
10 established to elect a candidate to the General Assembly may
11 accept contributions from only one legislative caucus
12 committee. A candidate political committee may not accept
13 contributions from a ballot initiative committee or from an
14 independent expenditure committee.

15 (b-5) During an election cycle, the aggregate value of a
16 contribution that a multi-candidate political committee may
17 accept from a source is equal to the aggregate value of a
18 contribution that a candidate political committee would be
19 permitted to accept from that source.

20 (c) During an election cycle, a political party committee
21 may not accept contributions with an aggregate value over the
22 following: (i) \$10,000 from any individual, (ii) \$20,000 from
23 any corporation, labor organization, or association, or (iii)
24 \$50,000 from a political action committee. A political party
25 committee may accept contributions in any amount from another
26 political party committee or a candidate political committee,

1 except as provided in subsection (c-5). Nothing in this
2 Section shall limit the amounts that may be transferred
3 between a political party committee established under
4 subsection (a) of Section 7-8 of this Code and an affiliated
5 federal political committee established under the Federal
6 Election Code by the same political party. A political party
7 committee may not accept contributions from a ballot
8 initiative committee or from an independent expenditure
9 committee. A political party committee established by a
10 legislative caucus may not accept contributions from another
11 political party committee established by a legislative caucus.

12 (c-5) During the period beginning on the date candidates
13 may begin circulating petitions for a primary election and
14 ending on the day of the primary election, a political party
15 committee may not accept contributions with an aggregate value
16 over \$50,000 from a candidate political committee or political
17 party committee. A political party committee may accept
18 contributions in any amount from a candidate political
19 committee or political party committee if the political party
20 committee receiving the contribution filed a statement of
21 nonparticipation in the primary as provided in subsection
22 (c-10). The Task Force on Campaign Finance Reform shall study
23 and make recommendations on the provisions of this subsection
24 to the Governor and General Assembly by September 30, 2012.
25 This subsection becomes inoperative on July 1, 2013 and
26 thereafter no longer applies.

1 (c-10) A political party committee that does not intend to
2 make contributions to candidates to be nominated at a general
3 primary election or consolidated primary election may file a
4 Statement of Nonparticipation in a Primary Election with the
5 Board. The Statement of Nonparticipation shall include a
6 verification signed by the chairperson and treasurer of the
7 committee that (i) the committee will not make contributions
8 or coordinated expenditures in support of or opposition to a
9 candidate or candidates to be nominated at the general primary
10 election or consolidated primary election (select one) to be
11 held on (insert date), (ii) the political party committee may
12 accept unlimited contributions from candidate political
13 committees and political party committees, provided that the
14 political party committee does not make contributions to a
15 candidate or candidates to be nominated at the primary
16 election, and (iii) failure to abide by these requirements
17 shall deem the political party committee in violation of this
18 Article and subject the committee to a fine of no more than
19 150% of the total contributions or coordinated expenditures
20 made by the committee in violation of this Article. This
21 subsection becomes inoperative on July 1, 2013 and thereafter
22 no longer applies.

23 (d) During an election cycle, a political action committee
24 may not accept contributions with an aggregate value over the
25 following: (i) \$10,000 from any individual, (ii) \$20,000 from
26 any corporation, labor organization, political party

1 committee, or association, or (iii) \$50,000 from a political
2 action committee or candidate political committee. A political
3 action committee may not accept contributions from a ballot
4 initiative committee or from an independent expenditure
5 committee.

6 (e) A ballot initiative committee may accept contributions
7 in any amount from any source, provided that the committee
8 files the document required by Section 9-3 of this Article and
9 files the disclosure reports required by the provisions of
10 this Article.

11 (e-5) An independent expenditure committee may accept
12 contributions in any amount from any source, provided that the
13 committee files the document required by Section 9-3 of this
14 Article and files the disclosure reports required by the
15 provisions of this Article.

16 (f) Nothing in this Section shall prohibit a political
17 committee from dividing the proceeds of joint fundraising
18 efforts; provided that no political committee may receive more
19 than the limit from any one contributor, and provided that an
20 independent expenditure committee may not conduct joint
21 fundraising efforts with a candidate political committee or a
22 political party committee.

23 (g) On January 1 of each odd-numbered year, the State
24 Board of Elections shall adjust the amounts of the
25 contribution limitations established in this Section for
26 inflation as determined by the Consumer Price Index for All

1 Urban Consumers as issued by the United States Department of
2 Labor and rounded to the nearest \$100. The State Board shall
3 publish this information on its official website.

4 (h) Self-funding candidates. If a public official, a
5 candidate, or the public official's or candidate's immediate
6 family contributes or loans to the public official's or
7 candidate's political committee or to other political
8 committees that transfer funds to the public official's or
9 candidate's political committee or makes independent
10 expenditures for the benefit of the public official's or
11 candidate's campaign during the 12 months prior to an election
12 in an aggregate amount of more than (i) \$250,000 for statewide
13 office or (ii) \$100,000 for all other elective offices, then
14 the public official or candidate shall file with the State
15 Board of Elections, within one day, a Notification of
16 Self-funding that shall detail each contribution or loan made
17 by the public official, the candidate, or the public
18 official's or candidate's immediate family. Within 2 business
19 days after the filing of a Notification of Self-funding, the
20 notification shall be posted on the Board's website and the
21 Board shall give official notice of the filing to each
22 candidate for the same office as the public official or
23 candidate making the filing, including the public official or
24 candidate filing the Notification of Self-funding. Notice
25 shall be sent via first class mail to the candidate and the
26 treasurer of the candidate's committee. Notice shall also be

1 sent by e-mail to the candidate and the treasurer of the
2 candidate's committee if the candidate and the treasurer, as
3 applicable, have provided the Board with an e-mail address.
4 Upon posting of the notice on the Board's website, all
5 candidates for that office, including the public official or
6 candidate who filed a Notification of Self-funding, shall be
7 permitted to accept contributions in excess of any
8 contribution limits imposed by subsection (b). If a public
9 official or candidate filed a Notification of Self-funding
10 during an election cycle that includes a general primary
11 election or consolidated primary election and that public
12 official or candidate is nominated, all candidates for that
13 office, including the nominee who filed the notification of
14 self-funding, shall be permitted to accept contributions in
15 excess of any contribution limit imposed by subsection (b) for
16 the subsequent election cycle. For the purposes of this
17 subsection, "immediate family" means the spouse, parent, or
18 child of a public official or candidate.

19 (h-5) If a natural person or independent expenditure
20 committee makes independent expenditures in support of or in
21 opposition to the campaign of a particular public official or
22 candidate in an aggregate amount of more than (i) \$250,000 for
23 statewide office or (ii) \$100,000 for all other elective
24 offices in an election cycle, as reported in a written
25 disclosure filed under subsection (a) of Section 9-8.6 or
26 subsection (e-5) of Section 9-10, then the State Board of

1 Elections shall, within 2 business days after the filing of
2 the disclosure, post the disclosure on the Board's website and
3 give official notice of the disclosure to each candidate for
4 the same office as the public official or candidate for whose
5 benefit or detriment the natural person or independent
6 expenditure committee made independent expenditures. Upon
7 posting of the notice on the Board's website, all candidates
8 for that office in that election, including the public
9 official or candidate for whose benefit or detriment the
10 natural person or independent expenditure committee made
11 independent expenditures, shall be permitted to accept
12 contributions in excess of any contribution limits imposed by
13 subsection (b).

14 (h-10) If the State Board of Elections receives
15 notification or determines that a natural person or persons,
16 an independent expenditure committee or committees, or
17 combination thereof has made independent expenditures in
18 support of or in opposition to the campaign of a particular
19 public official or candidate in an aggregate amount of more
20 than (i) \$250,000 for statewide office or (ii) \$100,000 for
21 all other elective offices in an election cycle, then the
22 Board shall, within 2 business days after discovering the
23 independent expenditures that, in the aggregate, exceed the
24 threshold set forth in (i) and (ii) of this subsection, post
25 notice of this fact on the Board's website and give official
26 notice to each candidate for the same office as the public

1 official or candidate for whose benefit or detriment the
2 independent expenditures were made. Notice shall be sent via
3 first class mail to the candidate and the treasurer of the
4 candidate's committee. Notice shall also be sent by e-mail to
5 the candidate and the treasurer of the candidate's committee
6 if the candidate and the treasurer, as applicable, have
7 provided the Board with an e-mail address. Upon posting of the
8 notice on the Board's website, all candidates of that office
9 in that election, including the public official or candidate
10 for whose benefit or detriment the independent expenditures
11 were made, may accept contributions in excess of any
12 contribution limits imposed by subsection (b).

13 (i) For the purposes of this Section, a corporation, labor
14 organization, association, or a political action committee
15 established by a corporation, labor organization, or
16 association may act as a conduit in facilitating the delivery
17 to a political action committee of contributions made through
18 dues, levies, or similar assessments and the political action
19 committee may report the contributions in the aggregate,
20 provided that: (i) contributions made through dues, levies, or
21 similar assessments paid by any natural person, corporation,
22 labor organization, or association in a calendar year may not
23 exceed the limits set forth in this Section; (ii) the
24 corporation, labor organization, association, or a political
25 action committee established by a corporation, labor
26 organization, or association facilitating the delivery of

1 contributions maintains a list of natural persons,
2 corporations, labor organizations, and associations that paid
3 the dues, levies, or similar assessments from which the
4 contributions comprising the aggregate amount derive; and
5 (iii) contributions made through dues, levies, or similar
6 assessments paid by any natural person, corporation, labor
7 organization, or association that exceed \$500 in a quarterly
8 reporting period shall be itemized on the committee's
9 quarterly report and may not be reported in the aggregate. A
10 political action committee facilitating the delivery of
11 contributions or receiving contributions shall disclose the
12 amount of contributions made through dues delivered or
13 received and the name of the corporation, labor organization,
14 association, or political action committee delivering the
15 contributions, if applicable. On January 1 of each
16 odd-numbered year, the State Board of Elections shall adjust
17 the amounts of the contribution limitations established in
18 this subsection for inflation as determined by the Consumer
19 Price Index for All Urban Consumers as issued by the United
20 States Department of Labor and rounded to the nearest \$100.
21 The State Board shall publish this information on its official
22 website.

23 (j) A political committee that receives a contribution or
24 transfer in violation of this Section shall dispose of the
25 contribution or transfer by returning the contribution or
26 transfer, or an amount equal to the contribution or transfer,

1 to the contributor or transferor or donating the contribution
2 or transfer, or an amount equal to the contribution or
3 transfer, to a charity. A contribution or transfer received in
4 violation of this Section that is not disposed of as provided
5 in this subsection within 30 days after the Board sends
6 notification to the political committee of the excess
7 contribution by certified mail shall escheat to the General
8 Revenue Fund and the political committee shall be deemed in
9 violation of this Section and subject to a civil penalty not to
10 exceed 150% of the total amount of the contribution.

11 (k) For the purposes of this Section, "statewide office"
12 means the Governor, Lieutenant Governor, Attorney General,
13 Secretary of State, Comptroller, and Treasurer.

14 (l) This Section is repealed if and when the United States
15 Supreme Court invalidates contribution limits on committees
16 formed to assist candidates, political parties, corporations,
17 associations, or labor organizations established by or
18 pursuant to federal law.

19 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

20 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

21 Sec. 9-10. Disclosure of contributions and expenditures.

22 (a) The treasurer of every political committee shall file
23 with the Board reports of campaign contributions and
24 expenditures as required by this Section on forms to be
25 prescribed or approved by the Board.

1 (b) Every political committee shall file quarterly reports
2 of campaign contributions, expenditures, and independent
3 expenditures. The reports shall cover the period January 1
4 through March 31, April 1 through June 30, July 1 through
5 September 30, and October 1 through December 31 of each year. A
6 political committee shall file quarterly reports no later than
7 the 15th day of the month following each period. Reports of
8 contributions and expenditures must be filed to cover the
9 prescribed time periods even though no contributions or
10 expenditures may have been received or made during the period.
11 The Board shall assess a civil penalty not to exceed \$5,000 for
12 failure to file a report required by this subsection. The
13 fine, however, shall not exceed \$1,000 for a first violation
14 if the committee files less than 10 days after the deadline.
15 There shall be no fine if the report is mailed and postmarked
16 at least 72 hours prior to the filing deadline. When
17 considering the amount of the fine to be imposed, the Board
18 shall consider whether the violation was committed
19 inadvertently, negligently, knowingly, or intentionally and
20 any past violations of this Section.

21 (c) A political committee shall file a report of any
22 contribution of \$1,000 or more electronically with the Board
23 within 5 business days after receipt of the contribution,
24 except that the report shall be filed within 2 business days
25 after receipt if (i) the contribution is received 30 or fewer
26 days before the date of an election and (ii) the political

1 committee supports or opposes a candidate or public question
2 on the ballot at that election or makes expenditures in excess
3 of \$500 on behalf of or in opposition to a candidate,
4 candidates, a public question, or public questions on the
5 ballot at that election. The State Board shall allow filings
6 of reports of contributions of \$1,000 or more by political
7 committees that are not required to file electronically to be
8 made by facsimile transmission. The Board shall assess a civil
9 penalty for failure to file a report required by this
10 subsection. Failure to report each contribution is a separate
11 violation of this subsection. The Board shall impose fines for
12 willful or wanton violations of this subsection (c) not to
13 exceed 150% of the total amount of the contributions that were
14 untimely reported, but in no case shall it be less than 10% of
15 the total amount of the contributions that were untimely
16 reported. When considering the amount of the fine to be
17 imposed for willful or wanton violations, the Board shall
18 consider the number of days the contribution was reported late
19 and past violations of this Section and Section 9-3. The Board
20 may impose a fine for negligent or inadvertent violations of
21 this subsection not to exceed 50% of the total amount of the
22 contributions that were untimely reported, or the Board may
23 waive the fine. When considering whether to impose a fine and
24 the amount of the fine, the Board shall consider the following
25 factors: (1) whether the political committee made an attempt
26 to disclose the contribution and any attempts made to correct

1 the violation, (2) whether the violation is attributed to a
2 clerical or computer error, (3) the amount of the
3 contribution, (4) whether the violation arose from a
4 discrepancy between the date the contribution was reported
5 transferred by a political committee and the date the
6 contribution was received by a political committee, (5) the
7 number of days the contribution was reported late, and (6)
8 past violations of this Section and Section 9-3 by the
9 political committee.

10 (c-5) Any candidate that accepts contributions or makes
11 expenditures during any 12-month period in an aggregate amount
12 exceeding \$5,000 on behalf of the candidate's campaign shall
13 form a candidate political committee or a multi-candidate
14 political committee and file the appropriate reports as
15 detailed in this section.

16 (d) For the purpose of this Section, a contribution is
17 considered received on the date (i) a monetary contribution
18 was deposited in a bank, financial institution, or other
19 repository of funds for the committee, (ii) the date a
20 committee receives notice a monetary contribution was
21 deposited by an entity used to process financial transactions
22 by credit card or other entity used for processing a monetary
23 contribution that was deposited in a bank, financial
24 institution, or other repository of funds for the committee,
25 or (iii) the public official, candidate, or political
26 committee receives the notification of contribution of goods

1 or services as required under subsection (b) of Section 9-6.

2 (e) A political committee that makes independent
3 expenditures of \$1,000 or more shall file a report
4 electronically with the Board within 5 business days after
5 making the independent expenditure, except that the report
6 shall be filed within 2 business days after making the
7 independent expenditure during the 60-day period before an
8 election.

9 (e-5) An independent expenditure committee that makes an
10 independent expenditure supporting or opposing a public
11 official or candidate that, alone or in combination with any
12 other independent expenditure made by that independent
13 expenditure committee supporting or opposing that public
14 official or candidate during the election cycle, equals an
15 aggregate value of more than (i) \$250,000 for statewide office
16 or (ii) \$100,000 for all other elective offices must file a
17 written disclosure with the State Board of Elections within 2
18 business days after making any expenditure that results in the
19 independent expenditure committee exceeding the applicable
20 threshold. The Board shall assess a civil penalty against an
21 independent expenditure committee for failure to file the
22 disclosure required by this subsection not to exceed (i) \$500
23 for an initial failure to file the required disclosure and
24 (ii) \$1,000 for each subsequent failure to file the required
25 disclosure.

26 (f) A copy of each report or statement filed under this

1 Article shall be preserved by the person filing it for a period
2 of two years from the date of filing.

3 (g) An expenditure on behalf of a candidate made by any
4 political committee in connection, consultation, or concert
5 with or at the request or suggestion of the candidate, the
6 candidate's campaign, or the agent or agents of the candidate
7 or campaign shall be considered a contribution to that
8 candidate and is subject to limitations on contributions and
9 reporting requirements in accordance with this Act. This
10 subsection shall not apply to expenditures made by a candidate
11 political committee on behalf of the candidate named in the
12 committee's statement of organization.

13 (h) The reports made by a multi-candidate political
14 committee of campaign expenses shall include the monetary
15 value of the expense to each of the candidates listed on the
16 statement of organization of organization for the
17 multi-candidate political committee.

18 (i) The reports made by a multi-candidate political
19 committee of campaign contributions received by the committee
20 shall, in the case of any contribution other than a transfer of
21 funds, report the monetary value of the contribution to each
22 of the candidates listed on the statement of organization of
23 organization for the multi-candidate political committee.

24 (j) A political committee that makes any expenditure other
25 than a transfer of funds in support of a multi-candidate
26 political committee shall report the monetary value of the

1 expense to each of the candidates listed on the statement of
2 organization for the multi-candidate political committee.

3 (Source: P.A. 99-437, eff. 1-1-16.)